

July 26, 2007

Chairman Himes called the meeting of the Tipp City Restoration and Architectural Board of Review to order on Thursday, July 26<sup>th</sup>, 2007 at 7:30 p.m. Other Board Members in attendance included: Rodney Kidwell, Sadie Gaster, Adam Blake, and Joe Bagi. Also in attendance were Assistant City Manager/Community & Economic Development Director Bradley C. Vath and Board Secretary Kimberly Patterson.

Mr. Kidwell **moved to excuse Mrs. Janine Wert; she was not feeling well**, seconded by Mr. Bagi. **Motion carried.** Ayes: Kidwell, Bagi, Himes, Gaster, and Blake. Nays: None.

Citizens signing the register: Michael Huffman, Charlie Huffman, Chris Moubray, Mandi Fang, Lindsey Wallace, and Nicole Mikel.

#### Minutes

Chairman Himes asked for discussion. Mrs. Gaster noted a typo on page 5 to change "Mr." Wert to "Mrs." Wert. Mr. Bagi **moved to approve the June 26, 2007, meeting minutes as amended**, seconded by Mr. Kidwell. **Motion carried.** Ayes: Bagi, Kidwell, Blake, Gaster, and Himes. Nays: None.

#### Citizens Comments Not on the Agenda

There was none.

Chairman Himes explained the guidelines and procedures for the meeting. He noted that once the Board made a decision the applicant/interested party had 10 days to file an appeal to the Board of Zoning Appeals. After the 10-day waiting period had expired, the applicant may file for the appropriate permits.

#### New Business

**A. Nicole Mikel – The Earth's Center – 27 ½ E. Main Street, Tipp City – Inlot 26** - Applicant requested Restoration Board approval for the replacement of the sign for the business.

**Present Zoning District:** R-2/RA – Urban Residential/Old Tippecanoe City Restoration and Historic District

**Section(s):** §154.052(l)(9)

Mr. Vath stated that the applicant requested Restoration Board approval for the replacement of the sign for the business (The Earth's Center) located at 27½ E. Main Street.

Mr. Vath noted that the proposed wall sign was +/- 4.13 sq. ft. in total area, constructed of wood and was +/- 17" wide and +/- 35" tall. The sign would be a natural Ash wood panel, with green and black lettering and a graphic of the earth over the natural Ash background. The proposed sign would replace an existing sign (16" x 18") previously approved by the Restoration Board on November 22, 2004. Staff noted that per Section §154.108, the sign in question was within the parameters of total allowable area for wall signage.

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Mr. Vath stated that a sign permit had been applied for by the applicant and would be issued administratively upon approval of the Certificate of Appropriateness and payment of the corresponding permit fee.

Ms. Nicole Mikel – 27 ½ E. Main Street – Owner of the Earth's Center – Ms. Mikel stated that the original sign was not exactly what she initially wanted but was in a hurry to get a sign in place. Ms. Mikel mentioned that she wanted a sign that was handmade by someone local and that was nicer.

Board Members found the following: Sign would replace the existing sign; would be placed slightly higher than the existing sign; made of natural ash wood; lettering would be black and green with a bark border, background to be natural mounted on existing cement pole.

Chairman Himes asked for further discussion. There being none Mr. Blake **moved to approve the proposed sign as submitted**, seconded by Mr. Bagi Ayes: Blake, Bagi, Himes, Kidwell, and Gaster. Nays: None. **Motion carried.**

**B. Ping and Mandi Fang – 309 W. Main Street, Tipp City – Inlot 618** – Applicants requested Restoration Board approval for the installation of 40' of 6' white vinyl privacy fence and replacement of front storm door.

**Present Zoning District:** R-2/RA – Urban Residential/Old Tippecanoe City Restoration and Historic District **Section(s):** §154.052(l)(7)

#### Fence

Mr. Vath stated that the applicants requested an approved Certificate of Appropriateness for the installation of 40 linear feet of 6' tall privacy fencing, which included a ± 18" lattice work at the top. The proposed fencing would be a white vinyl construction and would be place on the eastern property abutting the paver patio approved by the Restoration Board on June 26, 2007.

#### Storm Door

Mr. Vath also stated that the applicants requested an approved Certificate of Appropriateness for the replacement of a front entry storm door. The proposed door would be a Pella door that would be a brown color and include full glass.

Mr. Vath noted that a Zoning Permit would be required for the fence and would be issued administratively upon approval of the Certificate of Appropriateness and payment of the corresponding permit fee.

Mandi Fang – 309 W. Main Street – Mrs. Fang stated that the proposed fence was vinyl and was esthetically pleasing, not only to their property but would complement the vinyl/aluminum siding of their neighbor's property. Mrs. Fang stated that the vinyl fence was a very quick and durable way to enhance the property in terms of how it looked

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and to provide privacy needed. Mrs. Fang also stated that it would be difficult to determine the difference between the fence being vinyl or wood.

Chairman Himes asked Mrs. Fang if she was aware that vinyl fencing was not allowed in the district per the Guidelines. Mrs. Fang stated that she was aware and that it was different times now and that the materials that were now available could replicate the same look and feel that one would expect in a historical district. Mrs. Fang asked the Board that they be open to what was right and what was durable.

Mr. Blake inquired how far the fence was away from the street. Mrs. Fang stated that it was approximately 40' and that there was a large pine tree that blocked the view of the fence from the street. Mr. Vath stated that the fence went from the garage to front edge of the structure.

Mr. Kidwell stated that he was concerned with the use of vinyl in the district and that he understood that wood fences required more maintenance. Mr. Kidwell expressed that the goal of the Board was to focus on things as they get replaced that all existing vinyl or foreign material would be replaced with natural wood materials.

Mrs. Fang stated that she appreciated the Board's comments and understood completely that when replacing items that they should be sought out to be restored as is. Mrs. Fang also stated that since the proposed fence was new and did not exist prior to today, that the fence would back up to a vinyl garage. Mrs. Fang had difficulty in understanding how the Board could be so choosy on a fence when the garage and house was vinyl. She looks at the whole picture and asked herself what the right decision would be for the property. Mrs. Fang stated that if the property owner could afford to install a vinyl fence and that it looked better, wasn't that the right thing to do.

Mr. Bagi asked Mrs. Fang if she had the option to use wood. Mrs. Fang said that wood was certainly an option.

Mr. ~~Blade~~ Blake stated that this Board adopted the Department of Interior Guidelines, and that was how the Restoration Board acquired their Guidelines. Mr. Blake also stated that historically the Board had taken each Certificate of Appropriateness on a case by case basis. He noted that there had been a lot of modifications from the strict guidelines for certificates that had been approved. Mr. Blake used an example of a home on Main Street that the Board had approved vinyl siding on the house except for the front. Mr. Blake mentioned that his property was approved for aluminum siding. Per his view, historically there might have been some mistakes made by the Restoration Board. But the Board also attempts to look at each case in a case by case basis and look specifically how it would affect the landscape and view of the district. Mr. Blake stated that the profile view of the edge of the fence, that someone would have to strain to be able to see it. Mr. Blake noted that the only people that would see the

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fence would be the property owner and the neighbor and did not have a problem with the proposed vinyl fence and was not ~~pretrusive~~ obtrusive.

Mr. Bagi stated that allowing the use of the vinyl material would set precedence due to the fact that the guidelines do not allow it. Mr. Bagi also stated that the Board does try to accommodate what the property owner's desire. However, he did not think that vinyl should be allowed. Mr. Bagi asked Mrs. Fang again if the option to use wood did exist. Mrs. Fang said that she was sure that the option exists.

Mr. Vath inquired if the Fang's had investigated what type of wood fence they would prefer, if it would be identical to the proposed fence. Mrs. Fang stated that they did not find particular wood fence that they found pleasing.

Mrs. Gaster presented the scenario of what if the tree that hid the fence was cut down. Mrs. Fang stated that was a great point because that could definitely happen.

Mrs. Fang stated that she had lived in the Historical District all of her life and that she had an appreciation for it and that she was not there to disrespect the Board or the restoration of their home/property. Mrs. Fang stated that she would continue to invest in their home to maintain its beauty.

Chairman Himes stated that Mr. Kidwell had a fence that was similar to the Fang fence that was being proposed, but made of wood. Mr. Kidwell stated that per the guidelines that vinyl was not permitted. Mr. Kidwell acknowledged the facts that Mrs. Fang pointed out of all of the vinyl that had been installed around town in the past. But currently with today and in the future that as the vinyl materials have to be replaced it was the Board's responsibility to follow the guidelines so that the projects would be correct according to the guidelines. Mr. Kidwell stated that he would be following the guidelines and would not be in favor of the proposed vinyl fence.

Mrs. Fang requested the Board to look at today's society and today's technology; it was difficult to just say that a piece of paper dictates the way to live, act, and respond to the fellow citizens and community members. Mrs. Fang stated that she appreciated that fact that there were rules, but she was looking to do what was esthetically pleasing. Mr. Kidwell stated that the rules were not made up by this Board, but rather were handed down and copied from Federal and State. Mr. Kidwell stated that this would affect the historical area that had been established and how it preserves the only link to our past as well as how the property values were held.

Mr. Blake stated that if the Board was to work outside the established guidelines, the Board would be rendering themselves useless. Mrs. Fang stated that she thought that the Board provided much value and without people like the Board Members to keep the historic community the way that it was, it was beautiful. Mrs. Fang stated that she

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would not ask the Board to consider the vinyl fence if she didn't think that it was the right thing to do for the property.

Mr. Vath mentioned that Mrs. Fang stated that wood was an option and that if she would consider erecting a fence made of wood and painted white with the same design that was proposed in vinyl to help expedite her request. If not, she could pick a different wood style fence and present that to the Board at the next meeting. Mr. Vath stated that this could be an option for her and the Board to consider.

Mrs. Fang asked if the Board could come to her home, stand on the street and she would have wood and vinyl, and ask the Board if they could tell the difference. She asked if this was an option.

Mrs. Fang stated that if she could reproduce the proposed vinyl fence in wood that she would ask for Board approval. Mr. Kidwell stated that the Board could amend her request to change the material of the fence, but keeping the same style.

Chairman Himes asked for further discussion. There being none Mr. Blake **moved to approved 40 linear feet of 6' tall wood privacy fencing that included +/- 18" of lattice work at the top, fence would be constructed of wood and painted white at the east side of the home**, seconded by Mr. Kidwell. Ayes: Blake, Kidwell, Gaster, Bagi, and Himes. Nays: None. **Motion carried.**

Mr. Blake stated that in the guideline book, it addressed the storm door issue head-on, and that the storm door should be chosen to fit the color scheme of the building. Mr. Blake continued to state that the guidelines noted that on some buildings the door may be painted an accent or trim color, and the Mrs. Fang's door was stained and varnished wood. Mr. Blake stated that the storm door would be custom made. Mrs. Fang stated that she was going with a standard door, because it exposed the beauty of the door that was behind it. Mrs. Fang also stated that the door would be accented to match the main door. Mrs. Fang stated that the transom above the door would be open to expose the interior window which was red.

Mr. Blake continued to quote the guidelines to note that to better show the general entry door a full view type storm door might be chosen with its edges painted to match the casing. Mr. Blake stated that he would be in favor of the proposed storm door.

Mr. Blake also mentioned that the current gingerbread style door that was currently on the front of the house had no relevance to the structure what so ever.

Chairman Himes asked for further discussion. There being none, Mr. Blake **moved to approve the installation of the proposed storm door as submitted**, seconded by Mr. Bagi. **Motion carried.** Ayes: Blake, Bagi, Himes, Kidwell, and Gaster. Nays: None.

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Old Business

There was none.

Miscellaneous

- Dayton History Presentation and Questionnaire

Lindsey Wallace, the preservation intern with Dayton History, stated that Dayton History was formed in 2005 as a merger of Montgomery County Historical Society and Carillon Historical Park. Ms. Wallace also stated that she had been working with the organization because they were researching and planning a preservation office. Ms. Wallace noted that she had been meeting with history and preservation organizations in the southwest Ohio area to determine preservation needs and wants. Ms. Wallace mentioned that she had originally contacted Sandra Spangler with the Historical Society and she recommended contacting Mr. Spring which brought her before the Board at this meeting.

Ms. Wallace requested that the Board Members fill out the questionnaires presented before August 10, 2007. Ms. Wallace noted that the questionnaires included the questions that she had been asking about what individual organizations do and what preservation services were offered.

Board Members agreed to fill the questionnaires out individually and submit to Staff by August 3, 2007.

Mr. Vath presented Ms. Wallace with a copy of the Restoration District Guidelines that was mailed to the district residents once a year. Mr. Vath mentioned that Tipp City just became a Certified Local Government and had applied for grant funding and was on its second project.

- Review of 121 W. Main Street

Chairman Himes noted that Mr. Blake had requested the report and asked Mr. Blake if he had any further comments. Mr. Blake stated that there were no further comments and that the report was exactly what he had requested. Mr. Blake noted that being new to the Board he wanted to be brought up to speed on the property and the work that had been ongoing.

Mr. Vath stated that the report included the information that was in the public file of 121 W. Main Street. Mr. Vath mentioned that the property owner was mailed a copy of the report and was present to answer any questions. There were none. Mr. Huffman stated the report looked fairly accurate to him.

Board Members discussed the origin of the Board and its duties to monitor any activity and to assure the results are appropriate to the preservation of the District with the

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guidelines that were adopted. It was noted that the Board was formed as an advisory Board to City Council.

- Chairman Himes

Chairman Himes inquired about creating a list of acceptable architects and contractors to use in the district. Mr. Blake mentioned that the idea stemmed from the inability of the Board to recommend a specific contractor for a specific task. It was desired to have qualified individuals that specialized in specific areas such as slate roofing. Mr. Vath cautioned the Board that if one contractor was recommended vs. another contractor that there was a potential liability concerns. In the past if contractors were requested, a list of five or more could be presented but not recommend one in particular.

#### Adjournment

Chairman Himes asked for further discussion or comments. There being none, Mr. Bagi, **moved for adjournment**, seconded by Mrs. Gaster and unanimously approved. Meeting adjourned at 8:34 p.m.

ATTEST: \_\_\_\_\_  
Mrs. Kimberly Patterson - Board Secretary

APPROVED: \_\_\_\_\_  
Chairman Robert Himes